

Before the Board of Zoning Adjustment, D. C.

Application No. 11652 of Norbert M. and Sarah Lustine, pursuant to Section 8207.1 of the Zoning Regulations, for a variance from the lot area requirements of the R-4 District as provided by Section 3301.1 at 212 9th Street, S. E., Lot 824, Square 944.

HEARING DATE: May 15, 1974

EXECUTIVE SESSION: June 6, 1974

FINDINGS OF FACT:

1. The property is located in an R-4 District and is unimproved.

2. Applicant is requesting reinstatement of BZA Order 11384, dated July 25, 1973, which granted a variance for the lot area requirement to erect a single family row dwelling.

3. A building permit was not obtained within six months of the granting of the variance because sufficient financing was not available to applicant.

4. The applicant in the previous appeal (BZA 11384), Ian Kramer, was co-contract owner of the property with Norbert Lustine. Since that time Mr. Lustine has purchased the property.

5. The lot area is 1,315 square feet. In the R-4 District, 1,800 square feet is required. Applicant testified this created a hardship since the lot cannot be developed in accordance with the Zoning Regulations.

6. No opposition was registered; however, support for the applicant was noted by the Capitol Hill Restoration Society.

CONCLUSIONS OF LAW:

It is the opinion of this Board that applicant has proved a hardship within the meaning of the variance clause. The lot is substandard in size and cannot be developed in conformance with the Zoning Regulations.

A denial of the requested relief will create a hardship upon the owner.

ORDERED:

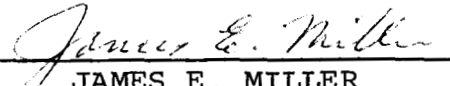
That the above application be GRANTED

VOTE:

4-0 (Mr. Harps not present, not voting)

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED By:


JAMES E. MILLER
Secretary to the Board

FINAL DATE OF ORDER:

7/11/74

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF ECONOMIC DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.